

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SKYLER JAMES FOWLER,

Plaintiff

Case No. 3:22-cv-00354-RCJ-CSD

ORDER

v.

MICHAEL MINEV, et al.,

Defendants

On August 8, 2022, pro se plaintiff Skyler Fowler, who is incarcerated in the custody of the Nevada Department of Corrections, filed a complaint under 42 U.S.C. § 1983 alleging that he suffered constitutional violations while he was incarcerated at High Desert State Prison, Lovelock Correctional Center, and Northern Nevada Correctional Center. (ECF No. 1-1). But Fowler has not paid the \$402 fee for filing a civil action or applied to proceed *in forma pauperis*. (ECF No. 1). The Court will grant Fowler a 60-day extension to correct this deficiency.

I. DISCUSSION

The United States District Court for the District of Nevada must collect reasonable fees to function. The fee for filing a civil action that is not a writ of habeas corpus is \$402, which includes the \$350 filing fee and the \$52 administrative fee. “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. Special R. 1-1. To apply for *in forma pauperis* status, an inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official, and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. Special R. 1-2. *In forma pauperis*

1 status does not relieve an inmate of his obligation to pay the filing fee, it just means that
2 he can do so in installments. See 28 U.S.C. § 1915(b).

3 As explained above, Fowler has not paid the filing fee or applied for *in forma*
4 *pauperis* status. The Court will grant Fowler a 60-day extension to either pay the full \$402
5 filing fee or properly apply to proceed IFP with all three required documents.

6 **II. CONCLUSION**

7 It is therefore ordered that plaintiff Skyler Fowler has **until December 5, 2022**, to
8 either pay the full \$402 filing fee or file a fully complete application to proceed *in forma*
9 *pauperis* with all three required documents: (1) a completed application with the inmate's
10 two signatures on page 3; (2) a completed financial certificate that is signed both by the
11 inmate and the prison official; and (3) a copy of the inmate's trust account statement for
12 the past six-month period.

13 Fowler is cautioned that this action will be subject to dismissal without prejudice if
14 he fails to timely comply with this order.

15 The Clerk of the Court is directed to send plaintiff Fowler the approved form
16 application to proceed *in forma pauperis for inmate* and instructions for the same and to
17 retain the complaint (ECF No. 1-1) but not file it at this time.

18 DATED: October 6, 2022.

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21 UNITED STATES MAGISTRATE JUDGE
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